

Instructions for Requesting Relief from Drug Offender Registration

You will need the following forms:

Criminal Cover Sheet, Petition for Relief from Offender Registration, Notice of Hearing,
Order of Relief from Offender Registration, Order Denying Relief from Offender Registration,
Order of Relief from Offender Registration Cover Sheet

Caution: Use of forms without the assistance of an attorney could harm your legal rights. You may want to have an attorney review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

Read Directions Completely – Please Type or Print Neatly

- If you have a Criminal Case filed in Wyandotte County, you will file the forms in the Criminal Department on the 2nd Floor.
 - If your original case is filed outside of Kansas but you now reside in Wyandotte County, you will file the forms in the Civil Department on the 3rd Floor
1. Complete a Criminal Cover Sheet. Give this form to the Clerk when you file your petition.
 2. Complete the Petition for Relief from Offender Registration. Where your name is required, write your full legal name.
 3. Sign the Petition for Relief from Offender Registration. Your signature is your confirmation that all the information in the petition is true and accurate to the best of your knowledge.
 4. File the original petition with the Clerk of the Court in the county in which you were convicted of the offense requiring registration. Pay the required docket fee of \$195. If you are registering because of an out-of-state conviction, file in the county where you are required to register.
 5. If you have a Criminal Case filed in Wyandotte County, you will use that case number & division. If not, the Civil Clerk will assign a case number and division when the case is filed.
 6. Call the Administrative Assistant of the division assigned to the case and ask for a date and time for a hearing before the court.
 7. Fill out the Notice of Hearing and file the original notice with the Clerk who will send the copy to the county or district attorney.
 8. Fill out the Order of Relief from Offender Registration Cover Sheet.
 9. Fill out paragraphs numbered 1 through 6 of the Order of Relief from Offender Registration and paragraphs numbered 1 through 4 of the Order Denying Relief from Offender Registration (just in case).
 10. Take the Order of Relief from Offender Registration Cover Sheet, Order of Relief from Offender Registration, and Order Denying Relief from Offender Registration with you to the hearing.
 11. Attend the hearing and answer any questions the court may have.



For Office Use Only

CRIMINAL COVER SHEET

The criminal cover sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the criminal docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

DEFENDANT'S INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ **SEX:** _____

CELL PHONE: _____

E-MAIL ADDRESS: _____

DL OR STATE ID NO: _____
State and Number

SSN: _____ **DOB:** _____

RACE: WHITE BLACK ASAIN PACIFIC ISLAND
 AMERICAN INDIAN/ALASKAN UNKNOWN

ETHNICITY: HISPANIC NON-HISPANIC UNKNOWN

SEX _____

ALIAS NAMES USED: _____

KDR TRANSACTION NUMBER: _____

ATTORNEYS
(FIRM NAME, ADDRESS, TELEPHONE NUMBER AND SUPREME COURT ID NUMBER)

COMPLAINT INFORMATION

VIOLATION DATE: _____

OFFICER: _____

OFFICER NO.: _____

ATTORNEYS (IF KNOWN)
(FIRM NAME, ADDRESS, TELEPHONE NUMBER, CELL PHONE NUMBER, E-MAIL ADDRESS, AND SUPREME COURT ID NUMBER)

The requirement that Social Security numbers be included on criminal cases is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS

THE STATE OF KANSAS

Case No. _____

vs.

Defendant

PETITION FOR RELIEF FROM OFFENDER REGISTRATION

Pursuant to K.S.A. 22-4908

I respectfully request of the Court an order removing me from the offender registry and relieving me from further offender registration requirements. In support of my request, I state the following:

1. My full name is _____;
2. My full name at the time of my conviction for the drug offense or offenses requiring registration, if different than #1, was _____;
3. I am a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. I was convicted of _____ [drug offense or offenses requiring registration] on _____, 20__ in _____ court. If convicted in another state, I am not required or I am no longer required to register under the laws of that state.
5. My most recent date of parole, discharge or release was _____

OR

- I was not confined in jail or prison for the offense.

6. I am currently registered as a drug offender in the following counties:

_____.

7. I have substantially complied with all registration requirements for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction.

8. I have not been arrested, convicted, or entered into a diversion agreement for any crime during the period I have been required to register.

OR

I have been arrested, convicted, or entered into a diversion agreement for the following crimes during the period I was required to register:

_____.

9. The following are the names of all treatment providers and agencies that have treated me for mental health, substance abuse, and offense-related behavior since the date of the offense or offenses requiring registration:

10. My circumstances, behavior and treatment history demonstrate that I have been sufficiently rehabilitated to warrant relief, and that my registration is no longer necessary to promote the public safety, because:

I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my knowledge, and I respectfully request that the Court set this matter for hearing and grant the relief requested.

Defendant, Pro Se

Name (Print): _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail Address: _____

Authority

K.S.A. 22-4908, as amended 2022 S.B. 366.

Notes on Use

As amended in 2022, K.S.A. 22-4908 allows drug offenders to file a petition seeking relief from the registration requirements of the Kansas Offender Registration Act, K.S.A. 22-4901, *et seq.* Sex offenders and violent offenders are not currently authorized to seek relief from registration.

Drug offenders may petition for relief after having registered for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction. Any period of time when an offender is in jail or prison or is not in substantial compliance with registration requirements does not count toward the five-year period.

The district court may require a drug offender who is petitioning for relief from registration to undergo a risk assessment at the offender's expense.

If the drug offense for which the offender is registering would otherwise be eligible for expungement, the offender may combine a petition for registration relief with a petition for expungement. (Please review the expungement forms on the Judicial Council website to determine expungement requirements for drug offenses.)

To obtain relief, the offender must show by clear and convincing evidence that:

- 1) The offender has not been convicted of a felony (other than a felony registration violation) within the five years immediately preceding the filing of the petition, and no proceedings involving a felony are presently pending or being instituted against the offender;
- 2) The offender's circumstances, behavior and treatment history demonstrate that the offender is sufficiently rehabilitated to warrant relief; and
- 3) Registration of the offender is no longer necessary to promote public safety.

If the court orders relief, the offender will be removed from the offender registry and will no longer be required to register. If the court denies relief, the offender must wait three years before filing another petition for relief.

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS

THE STATE OF KANSAS

vs.

Case No. _____

Defendant

**NOTICE OF HEARING ON PETITION FOR RELIEF FROM OFFENDER
REGISTRATION**

The court will hold a hearing on this matter on the _____ day of _____,
20____ at _____:____ a.m. p.m. at the Wyandotte County Courthouse, in Division _____ .

Petitioner, Pro Se

Name (Print): _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail Address: _____

CERTIFICATE OF SERVICE AND MAILING

I certify that on this _____ day of _____, 20____, I sent a true copy of
this notice by depositing it in the United States mail, postage prepaid, addressed to:

County or District Attorney (Print)

Address 1: _____

Address 2: _____

City, State, Zip: _____

(Clerk of the Court) (Deputy Clerk)

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS

THE STATE OF KANSAS

vs.

Case No. _____

Defendant

ORDER OF RELIEF FROM OFFENDER REGISTRATION

Pursuant to K.S.A. 22-4908.

On this ____ day of _____ 20____, the Court considers the Petition for Relief from Offender Registration filed herein. The State appears by

_____, assistant county/district attorney or designee. The petitioner

appears pro se in person with _____ [Attorney's name, if

any]. Others appearing, if any, are: _____

_____.

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court, upon agreement of the parties, having reviewed the file, having received the evidence, and/or having heard statements of counsel, finds as follows:

1. The full name of the petitioner is: _____
2. The full name of the petitioner at the time of conviction, if different than #1, was _____;
3. The petitioner is a _____ [Race] _____ [Sex] born in _____ [Year of Birth];

4. The petitioner was convicted of _____ on _____, 20____ in _____ court. If convicted in another state, the petitioner was not required or is no longer required to register in that state.
5. The petitioner's most recent date of parole, discharge or release was _____
OR
 The petitioner was not confined to jail or prison for the offense requiring registration.
6. The petitioner is currently registered as a drug offender in the following counties:
_____.
7. The petitioner has substantially complied with all registration requirements for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction.
8. The petitioner has not been convicted of a felony, other than a felony violation or aggravated felony violation of K.S.A. 22-4903, within the five years immediately preceding the filing of the petition and no proceedings involving any such felony are presently pending or being instituted against the petitioner.
9. The petitioner has demonstrated by clear and convincing evidence that the petitioner's circumstances, behavior, and treatment history demonstrate that the petitioner is sufficiently rehabilitated to warrant relief and registration is no longer necessary to promote public safety.

IT IS THEREFORE ORDERED that the petitioner shall be removed from the offender registry and the petitioner is no longer required to comply with the registration requirements of

the Kansas Offender Registration Act. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of this Order of Relief from Offender Registration to the Kansas Bureau of Investigation and to the sheriff of each county listed in paragraph 6.

IT IS SO ORDERED this ____ day of _____, 20 ____.

Judge of the District Court

Submitted by:

Approved by:

Signature of Petitioner/Petitioner's Attorney

Assistant County/District Attorney

Name (Print): _____

Name (Print): _____

[Supreme Court Number]: _____

Supreme Court Number: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Telephone: _____

Telephone: _____

Fax Number: _____

Fax Number: _____

E-mail Address: _____

E-mail Address: _____

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS

THE STATE OF KANSAS

Case No. _____

vs.

Defendant

ORDER DENYING RELIEF FROM OFFENDER REGISTRATION

Pursuant to K.S.A. 22-4908.

On this _____ day of _____, 20____, the Court considers the Petition for Relief from Offender Registration filed herein. The State appears by

_____, assistant county/district attorney or designee. The petitioner appears **pro se** **in person** with _____ [Attorney's name, if any].

Others appearing, if any, are: _____

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court, upon agreement of the parties, having reviewed the file, having received the evidence, and/or having heard statements of counsel, finds as follows:

1. The full name of the petitioner is: _____
2. The full name of the petitioner at the time of conviction, if different than #1, was _____;
3. The petitioner is a _____ [Race] _____ [Sex] born in _____ [Year of Birth];

4. The petitioner was convicted of _____ on _____, 20____
in _____ court.
5. The request for relief from offender registration should be denied for the following
reason(s):

IT IS THEREFORE ORDERED this _____ day of _____, 20____,
that the petitioner shall not be relieved of the offender registration requirements of the Kansas
Offender Registration Act.

Judge of the District Court

Submitted by:

Approved by:

Signature of Petitioner/Petitioner's Attorney

Assistant County/District Attorney

Name (Print): _____

Name (Print): _____

[Supreme Court Number]: _____

Supreme Court Number: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Telephone: _____

Telephone: _____

Fax Number: _____

Fax Number: _____

E-mail Address: _____

E-mail Address: _____



For Office Use Only

**ORDER OF RELIEF FROM OFFENDER REGISTRATION
COVER SHEET**
(for submission to the Kansas Bureau of Investigation)

This coversheet is to be sent to the Kansas Bureau of Investigation to assist them with determining the correct person to be removed from the registry.

This form must be typed or printed legibly.

DEFENDANT'S INFORMATION

NAME: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

MALE FEMALE

DOB: _____

RACE: WHITE BLACK ASIAN PACIFIC ISLAND
 AMERICAN INDIAN/ALASKAN UNKNOWN

ETHNICITY: HISPANIC NON-HISPANIC UNKNOWN ALIAS

NAMES USED:

